FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2131 OF 2005
IN
WRIT PETITION NO.3796 OF 2005

Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders.	Coram, : Court's or Judge's Orders : .

Mr. Surel S. Shah for the applicant.

None for the respondent.

CORAM: SMT. RANJANA DESAI, J.

DATED: 18TH AUGUST, 2005.

P.C.:-

On 10/6/2005, notice before admission was issued to the respondent. It was made returnable after two weeks. The following conditional order was also passed.

"In addition to Court's notice, the petitioner to serve the respondent by Advocate's notice either personally or through Courier/Speed Post/E-Mail/Fax and file an affidavit of

service before the returnable date, failing which the writ petition shall stand dismissed as against the unserved respondents without further reference to the court."

It appears that the advocate's notice was not issued as ordered by the court. Resultantly, in view of paragraph 2 of the said conditional order dated 10/6/2005, the petition came to be dismissed.

In this civil application, it is prayed that the writ petition be restored to the file.

For the reasons stated in the civil application, writ petition is restored to the file and time to carry out the direction of the court as per paragraph 2 of the conditional order dated 10/6/2005 is extended by two weeks i.e. till 1/9/2005.

Needless to say that the status-quo order passed by this court

shall continue to operate till then.

Civil application is disposed of.

All concerned to act on the authenticated copy of this order.

(SMT. RANJANA DESAI, J.)